

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DAVID CARMICHAEL,

Plaintiff,

v.

CAROL HOLINKA, J. PHEIFER,
PHILLIP SHANKS, and JANIS CONE,

Defendants.

ORDER

10-cv-125-slc

On March 15, 2010, I assessed plaintiff an initial partial payment of the \$350 filing fee in the amount of \$22.81 and gave him until April 6, 2010, in which to make the payment and submit a signed copy of his complaint to the court. On April 8, 2010, the court received plaintiff's signed complaint along with a letter asking for a two-week extension of time in which to pay his initial partial filing fee. Plaintiff indicates that he has initiated the process of having the funds sent to the court, but that it will take approximately 14 days for the initial partial payment to reach the court. I will grant plaintiff's request and extend the initial partial payment deadline to April 28, 2010.

Once the court has received plaintiff's initial partial payment, his complaint will be screened pursuant to 28 U.S.C. § 1915(e)(2) to determine whether the case must be dismissed either because the complaint is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief against a defendant who is immune from such relief. Petitioner will be notified promptly when such a decision has been made.

ORDER

IT IS ORDERED that plaintiff's motion for an extension of time to pay the \$22.81 initial partial payment is GRANTED. He is to submit a check or money order to the clerk of court on or before April 28, 2010. If, by April 28, 2010, plaintiff fails to make the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 13th day of April, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge